

**UNITED STATE DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

V.

JOHN KOSTA (1),

Defendant

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Criminal No. 12-10226-DJC

**DEFENDANT’S OBJECTION TO GOVERNMENT’S MOTION FOR STAY PENDING REVIEW OF A
RELEASE ORDER**

NOW COMES the defendant, John Kosta, and hereby objects to the Government’s Motion for Stay Pending Review of a Release Order.

In support of this objection, the defendant submits that although the charges pending against him are serious, that the conditions of release issued by the Court, especially those requiring the posting of bonds secured by substantial amounts of mortgage on real estate owned by the defendant’s parents along with electronic monitoring and third party custody, are more than sufficient to assure that the defendant will not flee during the pendency of the Government’s appeal of this Court’s release order. In addition, the defendant’s conduct while on prior state charges offers further support for the proposition that he does not pose a flight risk during such appeal. Moreover, the ties the defendant has to his children, who now reside with his parents, and the structured nature of his living situation, if released, assure that he will not pose a danger to the community. Accordingly, the defendant objects to the Government’s motion for a stay and submits that he should be released, in accordance with this Court’s conditions of release, during the pendency of the Government’s appeal of this Court’s Release Order.

Respectfully submitted,
Paul J. Garrity

DATE: January 7, 2013

/S/Paul J. Garrity

Paul J. Garrity

Bar No. 555976

14 Londonderry Road

Londonderry, NH 03053

603-434-4106

CERTIFICATE OF SERVICE

I, Paul J. Garrity, do hereby certify that on this 7th day of January, 2013, a copy of the within was e filed to the United States Attorney's Office and mailed, postage prepaid, to John Kosta.

/S/Paul J. Garrity